

**REQUEST FOR  
ACTION BY:  
TOWN OF CLARENCE, N.Y.**

☒ **Appeal Board**  
☐ **Planning Board**  
☐ **Town Board**

☒ **Appeal**  
☐ **Rezone**  
☐ **Revise Ordinance**  
☐ **Subdivision**  
☐ **Limited Use Permit**  
☐ **Other**

**Rec'd. by:** Jonathan Bleuer

**Date** July 6, 2017

**Action Desired** Applicant requests a variance of 1.5' to allow a 8.5' side yard setback for the installation of a detached accessory structure (emergency generator) located at 5697 Martha's Vineyard in the Residential Single-Family zone.

**Reason** Town Code Reference:  
§229-55 (E) (1)

**PLEASE PRINT**

<b>Name</b>	Jonathan & Lisa Bialek		
<b>Address</b>	5697 Martha's Vineyard		
	Clarence Center NY 14032		
<b>Town/City</b>	<b>State</b>	<b>Zip</b>	
<b>Phone</b>	998-8860		
<b>Signed</b>	SIGNATURE ON FILE		

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

**Initial Action**

**Approved** ☐ **Rejected** ☐ **by** ..... **on** ..... **20** .....

**Approved** ☐ **Rejected** ☐ **by** ..... **on** ..... **20** .....

**Published (Attach Clipping)** ..... **on** ..... **20** .....

**Hearing Held by** ..... **on** ..... **20** .....

**Final Action Taken**

**Approved** ☐ **Rejected** ☐ **by** ..... **on** ..... **20** .....

**Published (Attach Clipping)** ..... **on** ..... **20** .....

**Filed with Town Clerk** ..... **on** ..... **20** .....

**Filed with County Clerk** ..... **on** ..... **20** .....



\* note the parcel lines displayed are approximate

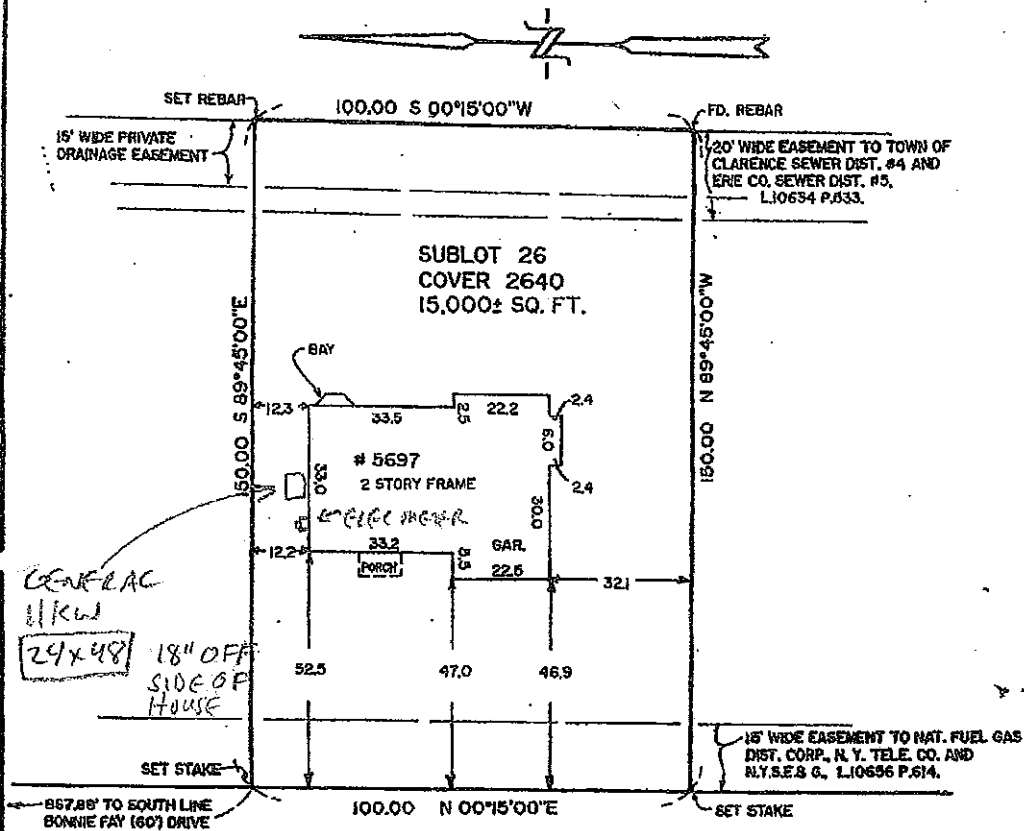
5697 Martha's Vineyard



Proposed 8.6' side yard setback for emergency generator  
(10' side yard setback required)

PARCEL NOT AFFECTED BY EASEMENT  
IN L10233 P.599

FILE NO. 49549



MARTHA'S (70' WIDE) VINEYARD



NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO  
THIS SURVEY MAP IS A VIOLATION OF SECTION 7208,  
ART 2 OF THE NEW YORK STATE EDUCATION LAW.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN  
ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS  
THAT MAY BE REVEALED BY AN EXAMINATION OF SAME.

**BISSELL, STONE  
ASSOCIATES**



**BISSELL, STONE ASSOCIATES**  
ENGINEERING AND LAND SURVEYING, P.C.  
CIVIL ENGINEERING • LAND SURVEYING:  
SITE PLANNING • CONSULTING  
TELEPHONE: (716) 632-7000, FAX 632-7004.

DATE, DEC. 3, 1996	JOB NO. 49549	FIELD BOOK: 439-31	SCALE 1" = 30'
STAKE LOT AND HSE. 3/26/97 JN 49587	FOUND. LOCATE 4/9/97 JN 49765 RB	FINAL HOUSE LOCATE 7/15/97 JN 49952	
SURVEY OF PART OF LOT <u>1</u> SECT. <u>11</u> TWP. <u>12</u> RANGE <u>6</u> TOWN OF <u>CLARENCE</u> - ERIE CO., NY - HOLLAND LAND COMPANY			

FORMERLY GEO. DIEHL, SHEEHAN, FRETTS & TALLAMY; FRETTS & SENIOR; SENIOR BISSELL & BRONKIE  
GENERAL CONTRACTORS AND ARCHITECTS THE BISSELL CO.

Wednesday, July 5, 2017

Town of Clarence  
One Town Place  
Clarence, NY 14031

Dear Members of the Zoning Board of Appeals:

I am writing to seek a whole house generator variance for my single-family home at 5697 Marthas Vineyard. Current zoning rules state that generators must be placed no closer than 10 feet away from property lines. I respectfully request to install the unit at a distance that measures approximately 8 feet 6 inches from my neighbor's property line. I have attached a survey of my property for your review and indicated our desired location on the northern side of the house.

The reason for this location is due to limiting factors on the eastern (or back) side of the house, such as windows and landscaping. It would also be cost prohibitive since all electrical connections are located on the northern side of the house, the same side as our desired location.

I have spoken with my neighbor at 5770 Marthas Vineyard, who is most impacted by this request, and they have provided the attached letter of support.

Should you have any questions, please do not hesitate to contact me at 716-998-8860. Thank you for your thoughtful consideration of this request.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Jonathan & Lisa Bialek', with a stylized, cursive script.

Jonathan & Lisa Bialek  
5697 Marthas Vineyard  
Clarence Center, NY 14032

July 6, 2017

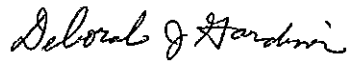
Town of Clarence  
One Town Place  
Clarence, NY 14031

Dear Zoning Board of Appeals:

This letter is to affirm support for our neighbors located at 5697 Marthas Vineyard and their desire to install a generator facing our home. We have discussed this with Mr. Bialek and agreed this location is optimal for installation, with no impact to our property.

Contact us with any questions at 716-741-1024.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deborah J. Gardiner".

David & Deborah Gardiner  
5770 Marthas Vineyard  
Clarence Center, NY 14032

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☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Jonathan Bleuer

Date July 25, 2017

**Action Desired** Applicant requests a variance of 7' to allow a 5.5' side yard setback for the construction of an attached accessory structure (garage) located at 8470 Ericson Drive in the Residential Single-Family zone.

**Reason** Town Code Reference:  
§229-52 (B)

**PLEASE PRINT**

<b>Name</b>	Charles Lukowski		
<b>Address</b>	8470 Ericson Drive		
	Williamsville NY 14221		
<b>Town/City</b>	<b>State</b>	<b>Zip</b>	
<b>Phone</b>			
<b>Signed</b>	SIGNATURE ON FILE		

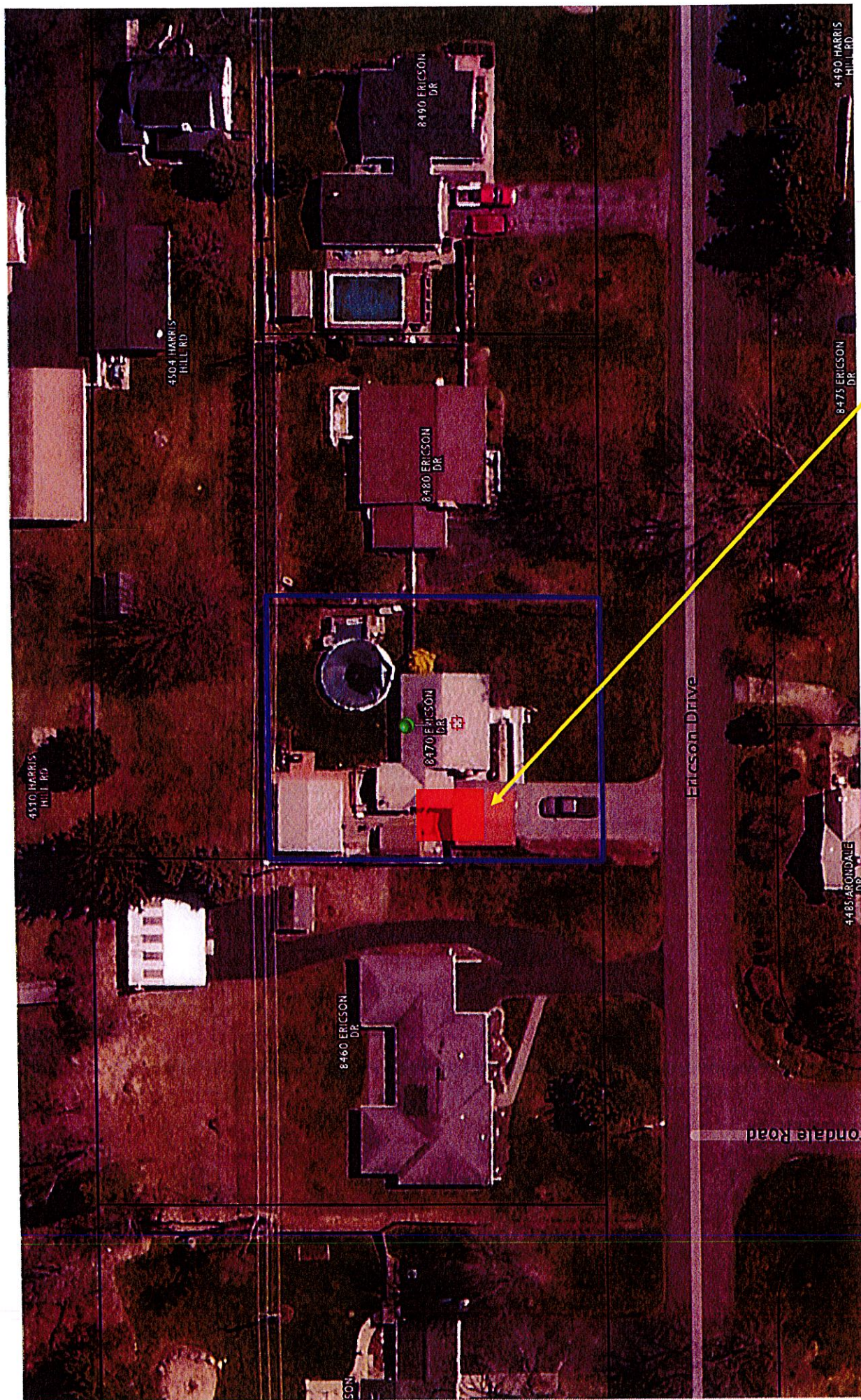
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**Initial Action**

Approved ☐ \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_  
Rejected ☐ by \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_  
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Published (Attach Clipping) \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_  
Hearing Held by \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_

**Final Action Taken**

Approved ☐ \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_  
Rejected ☐ by \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_  
Published (Attach Clipping) \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_  
Filed with Town Clerk \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_  
Filed with County Clerk \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_



\* note the parcel lines displayed are approximate

8470 Ericson Drive



Proposed 5.5' side yard setback for an attached garage

Required side yard setback of 12.5'

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- ☒ Appeal  
☐ Rezone  
☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by:

Jon Bleuer

Date

7/25/17

Action Desired

7' VARIANCE Side LOT  
ATT GARAGE

Reason

DIRECT ACCESS TO VEHICLE FROM HOUSE  
I AM AN AMPUTEE AND USE A WHEELCHAIR  
IT IS EXTREMELY DIFFICULT TO REMOVE  
SNOW & ICE FROM  
OPEN RAMP

PLEASE PRINT

Name

CHARLES LUKOWSKI

Address

8470 ERICSON DR

Town/City

CLARENCE

State

NY

Zip

Phone

Signed

Charles Lukowski

Rep McCaden

cen

609-2099

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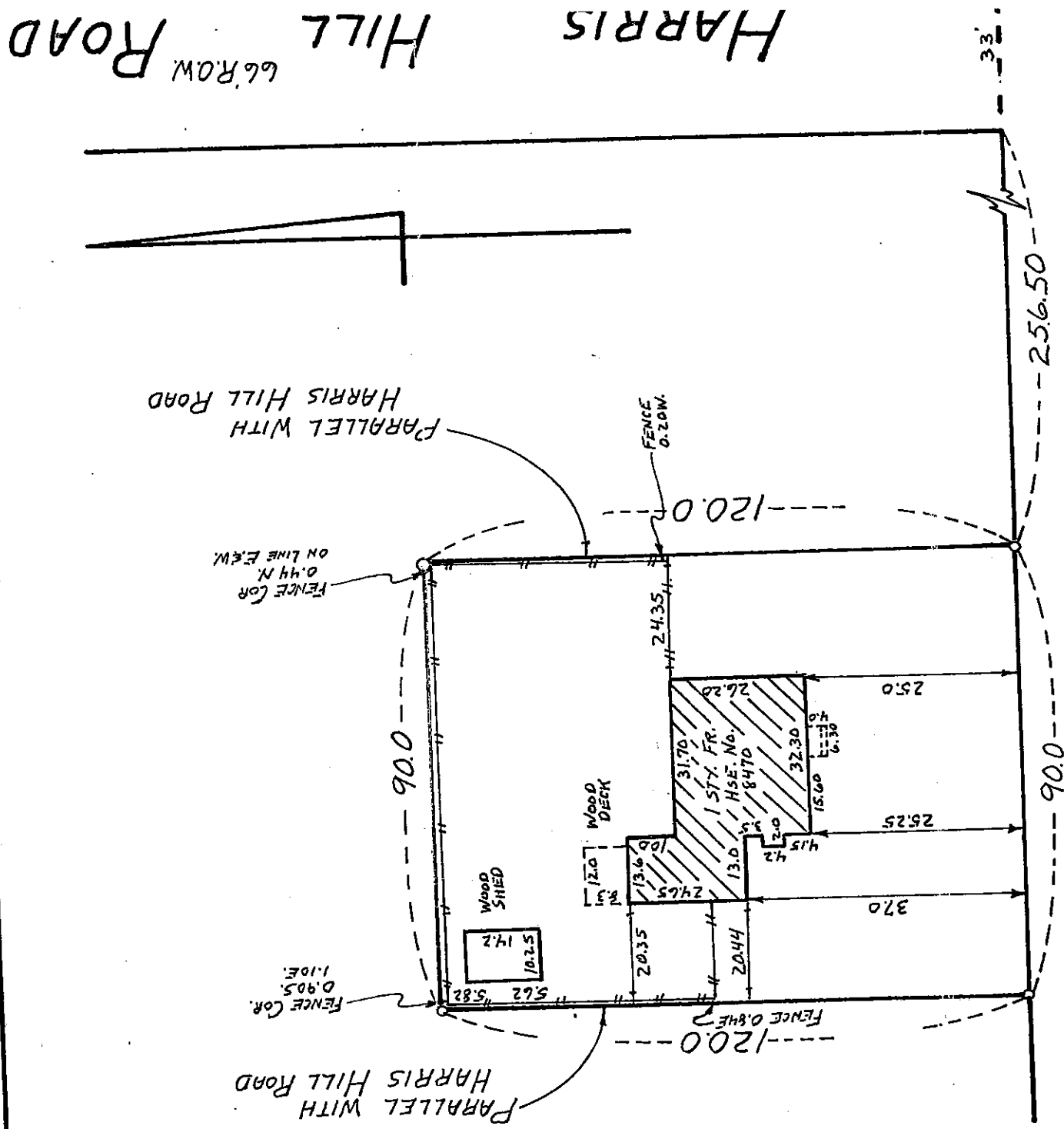
on ..... 20 .....

Filed with Town Clerk

on ..... 20 .....

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ERICSON DRIVE

PART OF LOT 6 SEC. 13, T. 12, R. 6  
TOWN OF CLARANCE  
ERIE Co., NEW YORK

ROBERT A. NIEDERPRUEM Engineer - Surveyor 674-5618 WEST SENECA, N	
19 CIRCLE END DRIVE	DATE JULY 11, 19
RE-SURVEYED	SCALE 1" = 30'
Robert A. Niederpruem	FB 86-15
	JOB NO. 6865

0 = IRON PIPE = I.P.

NOTE: This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.

Altering any item on this map is in violation of the law, excepting as provided in Section 72 of the New York State Education Law.

State Licensed Land Surveyor's Seal No. 028085.

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☐ Other

Rec'd. by: James Callahan

Date July 26, 2017

**Action Desired** Applicant requests a variance of 20' to allow a 60' front yard setback for the construction of parking spaces located at 9580 County Road Industrial Business Park zone.

**Reason** Town Code Reference:  
§229-102 (E)

**PLEASE PRINT**

<b>Name</b>	Bryan Schaefer / R2B Management		
<b>Address</b>	9580 County Road		
	Clarence Center	NY	14032
<b>Town/City</b>		<b>State</b>	<b>Zip</b>
<b>Phone</b>	432-5783		
<b>Signed</b>	SIGNATURE ON FILE		

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\* note this image was taken before the addition

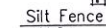
\* note the parcel lines displayed are approximate

9580 County Road



Proposed 8 parking spaces within the 80' front yard setback, requiring a 20' front yard setback variance.





Silt Fence Geotextile Fabric To Be Securely Fastened To  
Fence Posts w/ Wire Ties or Staples

Overlap Sections Of Geotextile Fabric A Minimum Of  
Six Inches (6"), Fold Over & Install Post

Maintenance Shall Be Performed As Needed & Sediment Removed  
When 'Bulges' Develop In The Silt Fence Fabric

Install Filtker fabric Drop Inlet Protection @ all  
Existing and New Catch Basins

NOTES: Tree Shall Bear Same  
Relation to Finished Grade as it  
Bore to its Previously Existing Grade  
All Trees are to be Staked  
Never Cut Leader


$$1^* = 20' - 0''$$

Plant Symbol	Number of Plants	Botanical Name	Common Name	Plant Size
PC	3	<i>Pyrus calleryana</i> "Cleveland Select"	Cleveland Select Pear	1 3/4' C
JS	6	<i>Juniperus chinensis</i> "Sea Green"	Sea Green Juniper	48" Hgt.
VJ	12	<i>Miscanthus sinensis</i> "Variegatus"	Variegated Japanese Silver Grass	24" Hgt.


$$1'' = 20'-0''$$


NORTH

## NOTES

PVC Pipe to be Manufactured in Accordance  
w/ ASTM D-3033 / D-3034, Latest Edition  
Cast Iron Pipe to be Extra Heavy ASTM A74-42  
Per Town Rules & Regulations, Pipe to be Pitched a  
Min. of 1/4" per Foot, Any Variance Must be Approved by  
District Manager, Slope Must Not be Less Than 1/8" per Foot

An OSHA Approved Moveable Protective  
Trench Shield May Be Used

Follow All OSHA Rules Concerning  
Trenching Operations

Vents & Cleanouts Must be Installed in Lawn Area, Not In Sidewalk  
or Drive

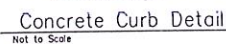
Concrete Encasement Required if Cover Depth is Less Than 4'-0"  
Beneath Paved Areas

Minimum Depth of Cover is 3'-0"

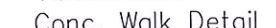
Any Change in Direction of Pipe to be Dbl. 45 Degree Rather than  
90 Degree Fitting

All Excavations to be Completely Backfilled w/ Proper Material  
Material @ Lawn Areas, Select Fill @ Paved Areas

**Notes:**

[illegible]
$$1^{\circ} = 20' - 0'$$


Not to Score




Not to



previously  
approved  
and existing

## HC Parking Signs

Not to Score

Revisions 5/11/16 5/16/16		
Project  <b>WMS</b> <b>Addition to Existing Building</b>  9580 County Road Clarence Center, New York		
John R. Haas / Architect, P.    2243 Wilcox Road, N. Collins, New York 14111 716-523-4001 / fx. 716-337-0271		
Sheet Title  <b>SITE PLANS &amp; DETAILS</b>		
Project No. <b>JRH15-52</b>  Scale <b>As Noted</b>  Date <b>August 7, 2015</b>		Drawing No.  <b>S-1a</b>  <small>© 2015 Haas / Architect. This drawing may not be produced, copied, altered otherwise used without consent of the architect.</small>